

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: Richard W Karpluk

Debtor

Case No. 17-11274

Chapter 13

Hearing Date: April 26, 2018

Hearing Time: 11:00 AM

**TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN AND REQUEST
FOR INFORMATION AND DOCUMENTS TO RESOLVE OBJECTION**

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York (the "Trustee"), states the following as and for her objection to confirmation of the Chapter 13 Plan.

1. The Debtor filed the petition for relief on Jul 11, 2017.
2. The Debtor's Proposed Plan provides as follows:

Start	Periods	Amount	Type
11/01/2017	1.00	\$660.00	MONTHLY

Start	Periods	Amount	Type
12/01/2017	12.00	\$1,220.00	MONTHLY

Start	Periods	Amount	Type
12/01/2018	48.00	\$1,850.00	MONTHLY

so that general unsecured creditors receive the greater of:

Liquidation:	\$0.00
Disposable Income (B22C - Line 59 x 60):	\$0.00
Percentage Repayment:	3.26

3. The Trustee objects to the confirmation of the Debtor's proposed plan on the following grounds:
 - **Liquidation.** The Plan does not provide general unsecured Creditors with at least as much as they would have received if the Debtor had filed a Chapter 7 liquidation proceeding as required pursuant to 11 U.S.C. § 1325(a)(4).
 - The Trustee seeks additional information to determine the minimum liquidation value of this estate as follows:
 - Other: Copy of Trust agreement and name and address of Trustee/Attorneys for Trust and valuation of same.

- **Tax Returns.**

- The Trustee request evidence of filing of the following tax returns: 2011-2016 State and Federal tax returns

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Dated: April 17, 2018

/s/ Andrea E. Celli

Andrea E. Celli, Chapter 13 Trustee

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AFFIDAVIT OF SERVICE

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KATIE ROBBINS, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN AND REQUEST FOR INFORMATION AND DOCUMENTS TO RESOLVE OBJECTION DATED APRIL 17, 2018 ON THE FOLLOWING MANNERS: ON APRIL 17, 2018.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

ELIZABETH FAIRBANKS FLETCHER
PO Box 4760
SARATOGA SPRINGS, NY 12866

VIA REGULAR U.S. MAIL

Richard W Karpluk
5 West Drive
Ballston Lake, NY 12019

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ KATIE ROBBINS

KATIE ROBBINS

Sworn before me this
17th day of April, 2018

/s/ Jessica H. Trzaskos

Reg. # 01TR6341836

Notary Public - State of NY

Qualified in Albany County

My Commission Expires 05/16/2020